

EXHIBIT B

1 A. Yes, I am.

2 Q. How are you sure about that?

3 A. Because I checked.

4 Q. When did you check?

5 A. Last week.

6 Q. How did you check?

7 A. I looked in my files, I had a copy of
8 the facsimile page, who I sent it to, the date I
9 sent it, and the resume was attached to it, plus
10 the fact that we talked about the situation, it
11 occurred to me that when I was at the interview, I
12 spoke with Tom Humbert and I explained to him that
13 I'm a candidate for my master's degree, that I've
14 taken courses and because of my management board
15 experience with McCormick, they would allow me
16 based on how many terms I served on the board so
17 many credits through Baltimore College which are
18 transferable to Western New England, so I had that
19 documentation, I showed him that as well saying
20 this would help me, you know, to pursue my
21 education because I was curious if they had a
22 tuition reimbursement program at the company.

23 Q. So your testimony is that you did not
24 represent to Tyco Electronics that you had an MBA,

1 A. Yes.

2 Q. Under education.

3 A. Uh-huh. Yes.

4 Q. According to this document, you
5 represent that you're pursuing an MBA slash
6 candidate, is that right?

7 A. Correct.

8 Q. And your testimony is that you did not
9 alter this resume at any time since July 26, 2000?

10 A. Correct. This is what I had in my
11 briefcase.

12 Q. This is the only resume you sent to Tyco
13 Electronics, is that right?

14 A. I don't know. I may have sent more than
15 one.

16 Q. Why do you think you may have sent more
17 than one?

18 A. I may have -- I could have sent it twice
19 through the computer. Sometimes there was an ad
20 in the paper plus there was an ad on Monster.com
21 so I may have sent more than one, I'm not really
22 sure, but when I went into the interview and
23 discussed my credentials --

24 Q. I'm asking about your resume now.

1 A. Yes.

2 Q. Do you have a different resume than the
3 one that's included in Exhibit 9 at this time?

4 A. I had so many different versions
5 depending on the position I was interviewing for.
6 If it was more in line with one part of
7 accounting, I would probably highlight my
8 experience to morely [sic] truly fit that
9 position. If it was more of a cost accounting,
10 I'd probably take some of my experience with cost
11 accounting and highlight that a little bit more on
12 the resume.

13 Q. Did you highlight your educational
14 credentials to describe yourself as an MBA in any
15 of your resumes that you submitted to Tyco
16 Electronics?

17 A. No, I wouldn't have.

18 Q. Do you recall completing a handwritten
19 application for your job as controller for Tyco
20 Electronics?

21 A. I don't recall. I might have.

22 Q. Do you recall describing your
23 educational credentials in that application?

24 A. No.

1 front of you. Mr. Plasse, do you have any
2 confirmation sheet or other evidence that you
3 actually faxed Exhibit 9 to Tyco Electronics?

4 A. No, I don't.

5 (Deposition Exhibit No. 11, one-page
6 Confidential Resume of James M. Plasse,
7 marked for identification)

8 Q. Mr. Plasse, I'm going to show you what's
9 been marked as Exhibit 11. I'll represent to you
10 that's a copy of your resume from the Tyco
11 Electronics personnel file. Can you take a look
12 at it?

13 A. Okay.

14 Q. Do you recognize Exhibit 11 to be your
15 resume?

16 A. It may have been one that I sent in
17 early on. I don't know when they received it.

18 Q. Mr. Plasse, would you read -- under
19 Exhibit 11, you've described your education,
20 correct?

21 A. Yes.

22 Q. What's the first entry you described in
23 Exhibit 11 under education?

24 A. It says MBA Western New England College.

1 by the appropriate company officials or as
2 required by local law. This policy will also
3 change if and is required by local law."

4 Q. Thank you. And you read this
5 applicant's section before you -- the applicant's
6 statement before you signed Exhibit 10, did you
7 not?

8 A. Yes.

9 Q. I want to ask you again, Mr. Plasse, are
10 you sure you did not alter or modify the resume
11 that you've produced and represented was a fax
12 sent by you to Ms. Locke that's Exhibit 9?

13 A. When I had this in my briefcase, this
14 was all intact and I guess, like I said, I may
15 have sent a number of different resumes to the
16 company 'cause at the time I was under that
17 recipal [phonetic] agreement with my former
18 company that based on my tenure on the multiple
19 management board, there would be a certain amount
20 of credits that could be applied to my MBA and I
21 explained that to Tom, that Tom, I'll be able to
22 get my MBA in May.

23 Q. My question was, did you modify at any
24 time or alter the resume that is included in

1 me hear the question again if I could.

2 * (Question read)

3 Q. Are you able to recognize the document
4 as your resume, Mr. Plasse, without consulting any
5 other documents?

6 A. It appears to be my resume.

7 Q. Do you have any evidence or any
8 information whatsoever that anyone else sent your
9 resume to Tyco Electronics?

10 A. That's a possibility.

11 Q. Why is that a possibility?

12 A. Because when you send it in over the
13 Internet or if you give it to a headhunter, they
14 can change the information that's on your resume.
15 That's happened to me twice.

16 Q. Let me ask you about Tyco Electronics
17 though. You faxed -- your testimony this morning
18 is you faxed your resume and a cover letter to
19 Leslie Locke, is that right?

20 A. Correct.

21 Q. Was that true?

22 A. Yes, it is.

23 Q. So you didn't do it over the Internet,
24 you faxed it to Tyco Electronics, correct?

1 A. I did it two or three times. I did
2 both.

3 Q. Let me take one at a time so one you
4 faxed. Did you send a resume to Tyco Electronics
5 by mail?

6 A. Yes, I did.

7 Q. And why did you send it by mail and by
8 fax?

9 A. I may have -- just doing it via the
10 computer, I may have just attached a file and sent
11 it along to her and then I saw the ad in the Union
12 News or local newspaper like a week later and I
13 may have sent it again, but she lost the first fax
14 she told me, so I believe I refaxed it a second
15 time.

16 Q. All right. You're testifying that you
17 may have. I need to know whether you're actually
18 testifying about something you recall or whether
19 you're speculating.

20 A. I'm speculating on the fact that she
21 lost the first fax. I believe she had me send it
22 again and plus there was an agency that may have
23 sent one in as well.

24 Q. You say may have, why do you say that?

1 A. Because I was working with an agency.

2 Q. What was the agency called?

3 A. I think I gave you that, Mike Gates.

4 Q. This is when you applied to Tyco
5 Electronics?

6 A. Yes because --

7 Q. Do you have any information or documents
8 relating to --

9 A. No.

10 Q. Let me finish the question -- relating
11 to the communications with Mr. Gates about your
12 application to Tyco Electronics?

13 A. No.

14 Q. Do you have any evidence that Mr. Gates
15 provided any information to Tyco Electronics on
16 your behalf?

17 A. I'm not sure.

18 Q. You don't know?

19 A. Well, there's a practice of people
20 sending in your resume and then calling you and
21 saying oh, would you be interested in an
22 employment opportunity at this company before your
23 authorization for them to send the resume, and
24 then that's happened to me.

1 Q. Did that happen at Tyco Electronics?

2 A. Well, if I see a resume that I didn't
3 send in, I'm just assuming that that probably
4 would have happened.

5 Q. Without assuming, do you know whether
6 that happened at Tyco Electronics?

7 A. I don't know. They provided you the
8 resume, you'd have to ask them where they got it.

9 Q. Do you know whether Mr. Gates sent a
10 resume to Tyco Electronics on your behalf at any
11 time?

12 A. I don't know. I don't think so.

13 Q. Where's Mr. Gates now?

14 A. I don't -- I haven't talked to him in
15 three years.

16 Q. What was the last address that you knew
17 about for Mr. Gates?

18 A. Oh, boy. I believe he may have been in
19 Agawam, Massachusetts.

20 Q. Are you aware of whether Mr. Gates ever
21 received any fee for placing you with any company?

22 A. He may have. I'm not really sure.

23 Q. Do you know?

24 A. No.

1 A. That's where it was, it was with all
2 that, with all that information.

3 Q. In your laptop briefcase in your office,
4 is that your testimony?

5 A. It was in an old briefcase in the corner
6 of my office with all the other Tyco and it was --
7 it was in there forever, I must have just stuck it
8 in with those other documents and I may have moved
9 it from file -- I may have moved it out of my desk
10 into the briefcase or something, I don't know.

11 Q. But it was in the briefcase when you
12 found it, is that your testimony?

13 A. It was in my briefcase for a while, I
14 put it in my Tyco folder.

15 Q. But I'm trying to understand where the
16 document came from when you produced it today, and
17 I understand your testimony, I want you to correct
18 me if I'm wrong, that you found it in your old
19 laptop briefcase with other documents and
20 retrieved it from there recently, is that right?

21 A. Since I've been terminated from Tyco, I
22 looked -- I cleaned out my briefcase when I left
23 Tyco, took all Tyco-related matter and put it into
24 one big folder in my office called Tyco matter and